



RHODE ISLAND BAYS, RIVERS, & WATERSHEDS COORDINATION TEAM

December 20, 2006

2:00 – 4:00 p.m.

**Narragansett Bay Commission
Providence, Rhode Island**

Approved Meeting Minutes

Coordination Team Members in Attendance: Kevin Flynn, Saul Kaplan, Meg Kerr, Juan Mariscal, Paul Pinault, Michael Tikoian

Other Meeting Participants: Jane Austin, Kip Bergstrom, Gary Ciminero, Tom Getz, Sue Kiernan, Ray Marshall, Don Pryor, Malia Schwartz, Tom Uva, Sandra Whitehouse, Jeff Willis

Coordination Team Staff: Colt

CT Administration

Colt called meeting to order at 2:15 pm, and requested approval of minutes for the 11/28/06 meeting. Juan Mariscal recommended that future meeting minutes be condensed due to the fact that it is too time-consuming to read them in nearly transcript form. Minutes should include detailed descriptions of how the team arrives at its most significant decisions during meeting. Colt replied he and Melissa will edit future minutes more concisely.

The CT passed a Motion approving the minutes from its last meeting on 11/28/06.

Colt stated that the next meeting is scheduled for January 31st. He has been working with Kip Bergstrom and Kevin Hively of Ninigret Partners, LLP, on the economic monitoring project. He proposed that Hively be invited by the CT to provide an overview of what he has accomplished to date at the February 28th meeting. There were no objections to this invitation being made.

Colt stated that he would like to try to improve meeting management and that he would refrain from recognizing non-team members until team members have thoroughly

discussed the major points on each agenda. This could be put into writing and formally addressed at next meeting.

Northeast Regional Ocean Council

Colt reported on activities to date on NROC development. NROC has put together a letter and work plan for the Federal Inter-Agency Commission the Subcommittee on Integrated Management of Ocean Resources (SIMOR); this letter will be distributed to the New England Governors. The letter's purpose is to seek funding for regional ocean governance from the Feds, e.g., it is hoped that they will fund NROC's regional ocean congress planned for May. The letter will be signed by Michael Sullivan as the US Co-Chair of the Oceans Working Committee.

Colt is working with Ron Rosza, of the Connecticut Coastal Management Program, and URI's Coastal Resources Center (CRC) to set up a Southern New England Ocean Partnership and will report further on this at future meetings.

Colt will sit on Northeast Regional Sea Grant's Gulf of Maine Ocean Science Council, which will hold its first meeting in late January. The purpose of this council is to assist with developing a science research agenda for Gulf of Maine and southern New England coastal and ocean waters. Experiencing difficulty with MIT Sea Granters who are not, in their communications at least, providing enough emphasis on Southern New England Waters. Colt will step off this Council if it does not or cannot dedicate sufficient focus to southern New England ocean waters.

Colt has been invited to represent Rhode Island and the Northeast Regional Ocean Council at a workshop on Regional Ocean Governance sponsored by the Joint Ocean Commission Initiative, from March 18-20. Said that he would not confirm his attendance until the CT approved it. Expressed concern over allocating his time towards regional ocean issues when in-state issues are presently so formidable.

There is also a meeting organized by the Minerals Management Service, to be held on January 10th, concerning the development of alternative energy and alternate uses program on the outer continental shelf. Requests some sort of formal approval from the CT, saying yes to the California workshop and to continue to emphasize the development of NROC. If there any concerns about this he would like to address them presently.

Meg Kerr expressed concern over the loss of focus on rivers and watersheds if too much time is spent with NROC. Feels that we need to remember that the CT was established to look at rivers, watersheds, etc. not only ocean issues.

Mariscal advised that Colt be sure to coordinate with the budget office.

Colt responded that he did include a line item in the chair budget, for NROC travel expenses, of approximately \$1,000. The Governor is one of the leaders in establishing NROC, and he hoped the CT Chair would be able to fill that role for the state. But, he

feels the team does have the right to refute this if they feel he should be focused on in-state issues as opposed to regional ocean management issues.

Saul Kaplan does not feel that this is a decision that the team needs to be involved in. He recommends that Colt use his professional judgment.

Colt does not feel these will require any substantial funding, just his time. Also sees this as an opportunity to tap into federal funds that will help the state, as well as linking RI coastal ocean management with other state and federal regional efforts.

Restore America's Estuaries 2008 Conference

RI and RAE are close to announcing the fourth conference coming to Providence in October of 08. Their third conference was a tremendous success with over 1,300 attendees; Colt made some interesting connections, particularly with the Collaborative Adaptive Management Network. He would like to introduce adaptive management themes and approaches to the CT's systems planning and coordination efforts.

Paul Pinault Presentation on the Narragansett Bay Commission's future challenges

Colt turned the meeting over to Paul Pinault. Pinault opened his presentation by reiterating that he will be leaving next week after twenty-five years with NBC. Pinault stated that there have been many noteworthy accomplishments over the span of twenty-five years, but there is still a great deal to be done. He indicated that one of the biggest challenges facing the Narragansett Bay Commission in the future is **contending with sewer utility rate increases**. In order to accelerate their projects they have had to increase rates significantly:

In January of 2001 rate were raised 24.5 %;
 June of 2002, another 24.8%;
 June of 2003 another 16.12%;
 October of 2004, another 5.95%;
 July of 2005, another 12.76%;
 July of 2006, another 4.06%;

Finally, the Public Utilities Commission just approved another increase of 9.99 %, effective July 2006.

In 2001, the average homeowner paid \$130 per year in NBC sewer utilities, which is fairly inexpensive compared to national averages. Currently, the average NBC ratepayer pays \$295; in 2011 she will pay \$404 annually. These costs are being borne frequently by low-income families: 65% of RI's children living in poverty live in the NBC region, mostly Pawtucket, Central Falls, and Providence, and 22% of NBC ratepayers live on fixed incomes. RI General Hospital paid \$500,000 annually in 2001; in the next five years they will be paying \$2 million annually.

NBC's Capital Plan for the next five or six years is \$276 million, which will cover facilities designs and upgrades to their wastewater treatment facilities (WWTF's) and

design work for Phase II of the combined sewer overflow (CSO) Abatement Project. However, there is also a Phase III to the CSO Abatement Project, which will cost \$450 million to build the second tunnel from the Bucklin Point Facility up to Pawtucket and Central Falls.

The **CSO Abatement Project** is a big part of NBC's current capital plan, but there are also nutrient control facility requirements being imposed on NBC. NBC spent over \$60 million recently at Bucklin Point WWTF, upgrading the plant including nutrient controls. Just before the new facility went online, DEM informed NBC that it may have to upgrade BP WWTF's nutrient controls even further. The ensuing consent agreement between NBC and DEM allows NBC to run BP WWTF for two years to see if it could meet a 5 mg/l TN standard, even though the Plant was designed to discharge no more than eight mg/l. After the first year of operations under the consent agreement, the BP WWTF was discharging TN at a rate of 6.4 or 6.2 mg/l. So, Pinault feels confident that they have improved BP WWTF's nitrogen discharge controls, but he does not think the plant will be able meet the 5 mg/l standard consistently. To do so it appears that another facilities upgrade will be required to reach the 5 mg/l standard, with a projected capital cost of \$16 million.

At Fields Point WWTF, NBC is holding a public hearing on January 25th on the status of planning for its upgrade. They are looking at spending \$33 million at FP WWTF to meet a five mg/l TN discharge standard. If NBC has to meet a tighter discharge standard of 3 mg/l, it will cost about \$80 million in capital costs. In addition, FP WWTF operations and maintenance costs are projected to increase by \$2.3 million annually, with a large portion of that increase due to increased energy needs. The CSO Abatement Project Phase I will go online in October of 2008, will also require an additional \$700,000 a year for electricity and maintenance.

The remainder of NBC's current capital plan has to do with maintaining six pumping stations and replacing them as needed. They are also beginning to look at the Central Avenue Pumping Station in Johnston, which is close to twenty years old. The bottom line is that it will be a significant challenge for NBC and its partners to maintain these sewerage facilities, which are extremely old. Much of the sewerage system managed by NBC, and the subsystems maintained by the municipalities, are still in good condition, but in part due to their advanced age, they are costly to maintain.

NBC has devoted an appreciable amount of staff time to assisting the CT, and Pinault acknowledged that other people present have done the same. He expressed some frustration at the fact that, up until recently, there have been no resources available to them. But he is pleased that they are finally having productive meetings, and that Ames and Melissa are on board to provide leadership and staff support. However, the amount of work that has to be done is disproportionate to the amount of people that are available. Lamented the fact that two years ago, the Governor allotted funds for the CT, and the General Assembly did not give them anything. Last year the Governor put nothing aside, and tried to make NBC responsible for funding the entire \$1 million environmental monitoring proposal put forward by the CT. In the end the General Assembly could only

contribute a quarter of a million dollars from the OSPAR fund. This is a pittance relative to the amount of work that has to be done in monitoring.

Pinault's hope is that they will receive more recognition in the future along with the money that is required to do the job. Emphasized that NBC has shown their dedication to the CT by offering their space, providing staff support, doing extensive monitoring of the Bay, purchasing research vessels and monitoring equipment, and helping to establish the buoy network for the upper bay. NBC will continue to contribute as much as possible, but he reiterates his hope that the General Assembly will provide the additional resources, which will enable the CT to fulfill its mission of protecting and management RI's bays, rivers, and watersheds.

Pinault concluded by stating that it was a pleasure working with everyone present and that Ray Marshall, who has been with NBC for fifteen years, will serve ably as his replacement.

Colt asked Pinault and Marshall if there was anything that could be said about NBC's discussions with the East Providence Sewer Authority. Marshall responded that they have a couple of their consultants assessing the feasibility of combining the East Providence WWTF with the Fields Point WWTF, and what kind of influence that would have on NBC's CSO Abatement program and facilities. They are examining the alternative of leaving everything in place at East Providence WWTF and upgrading the facility vs. pumping all wastewater flows through a tunnel under the Providence River to the FP WWTF. In a month or so, they should be able to provide more information.

Colt emphasized the fact that NBC's future capital costs are substantial, and, inevitably, the ratepayers are going to start resisting further increases. That resistance will increase attention on questions regarding how the WWTF upgrades will improve water quality and increase public benefits.

These issues have been in the foreground for some time, for the entire state. The EPA will not relent in its pressure on RI to deal with CSO's in the upper bay via Phase II and Phase III of the CSO Abatement Project. The stakeholder process for the CSO Abatement Project provided the master plan that NBC and RI still need to move forward on. The CT could assist with long-term CSO abatement in the upper bay by providing guidance as to how the stormwater needs can be addressed generally in RI.

Review of Representative Naughton's December 11, 2006 letter to the CT Chair

Colt distributed copies of a letter, dated December 11th, that he received from Representative Eileen Naughton. The letter was a follow-up to a meeting he had with Representative Naughton and Sandra Whitehouse. He appreciated the amount of time and degree of attention to the CT that the two provided. The letter outlines Representative Naughton's expectations for the CT over then next year or so. She also summarizes what she expects the General Assembly to contribute.

Colt had one question concerning the letter for Sandra Whitehouse in reference to point two: the need to connect better the Environmental Monitoring Collaborative with the Coordination Team. He was not sure where this point was coming from, because it seemed that the Env-MC has been working well with the CT. Whitehouse stated that Rep. Naughton was referring to discrepancies in the original legislation that created the Environmental Monitoring Collaborative and the CT separately.

The second item from the letter that Colt felt should be discussed is its call to convene a planning workgroup to lead systems integration planning in 2007 and 2008. He advised that, as a team, they have the authority to create such committees, and if they do not, the General Assembly may codify one. Goal five of the proposal is to form this committee and put it to work. Colt felt that Representative Naughton was trying to stress the fact that the planning work needs to begin forthwith.

CT Collaboration with the Narragansett Bay Estuary Program

Colt distributed to the CT the Narragansett Bay Estuary Program (NBEP) one-pager first distributed by R. Ribb at the December meeting of the ad hoc group (which has been working on collecting information regarding public infrastructure investments into the state's "water cluster") describing the process by which the NBEP will develop a "Status and Trends Report".

Mariscal and Tikoian expressed concern over a lack of coordination between efforts by the Narragansett Bay Estuary Program (NBEP) to develop a status and trends report and a revived NB Comprehensive Conservation and Management Plan (CCMP) and the CT's efforts to develop a Systems Integration Plan.

Kerr was asked by Colt to explain the relationship between the NBEP and the CT. She said that she has recently been hired as NBEP staff and that the NBEP is required to update the Narragansett Bay CCMP. NBEP staff met to discuss this work and to plan development of the status and trends report. The results of the meeting were summarized in the one-pager and provided to the CT ad-hoc team in order to facilitate coordination. The NBEP is very interested in working together with the CT on their common goals as there are many similarities between the SLP and the CCMP.

Tikoian asked whom the NBEP reported to. Kerr informed the CT that her understanding is that the NBEP is now a project of the URI Coastal Institute. Funding for the NBEP is primarily from EPA's National Estuary Program. Colt said that he would continue to talk with EPA Region I staff and with the NBEP Management Committee to encourage the greatest possible collaboration between the NBEP and the CT. Colt added that he has been placed upon the NBEP Management Committee and that he has had extensive conversations with Ribb and believes they are in agreement on how to proceed with planning jointly. He is primarily concerned that the NBEP be clear in their communications as to what they are going to do in coordination with the CT and that he wanted to be sure that any future versions or revisions to the Narragansett Bay Comprehensive Conservation and Management Plan is entirely incorporated into what the CT does for Systems Integration Planning.

Systems Integration Plan Development

Kaplan recommended that there should be a roadmap for systems integration plan (SIP) development showing the CT how to get to a specific deliverable and describing planning roles/responsibilities, where the gaps are, and the role of the CT. He felt that the discussions of the meeting thus far, seem desultory; that the objective was not clear. What is the “end deliverable” of the SIP? What are the components of that deliverable, and how does it connect to other activities that are going on in each of the CT member agencies? Understanding the end deliverable is essential to having productive conversations as a CT.

Colt responded that, for him, the end deliverable is delineated by proposed SIP outline in the FY 2008 proposal. It lays out, by chapter, what the Systems Integration Plan will consist of. His goal is to complete a full draft of the Systems Integration Plan by January 31, 2008.

Flynn stated that the SIP should inventory “what is in the works”, where does that stand in terms of a schedule, and what do we have to do to fill in the gaps.

Colt asked the CT for staff support for development of the SLP.

Kaplan said that staff could be utilized most efficiently if Colt develops a workplan showing the work needed for completion of the SLP and what work is already underway by the various agencies and organizations on the CT and in the state. The missing pieces or holes in the workplan are where staff resources can be most effectively utilized.

Review and Approval of the Draft Coordination Team FY2008 Proposal

Colt asked that the CT formally approve the proposal as it stands, or approve with modifications that they specify. He acknowledged that targeted and concise documents need to be developed that will explain the purpose and near-term activities of the CT, such as a 1-2 page document that ties the budget requests with specific accomplishments that will be attained if the funds are granted. Also the CT and the Environmental Monitoring Collaborative will need to develop and distribute additional background material for the monitoring components of the CT FY08 proposal.

Flynn had two questions in reference to page 15 of the draft FY08 proposal: Under alternative funding sources, he noted the absence of estimated revenue generation.. Colt answered that he did not exclude it, he simply didn’t have sufficient information to provide estimates..

Mariscal recommended that there should be a specific deadline for issuing the final Systems Integration Plan as opposed to stated deadline of “the beginning of 2008”. Also, concerning the proposed sources of revenue, he is certain that he put something together on for the water surcharge wastewater bill (a fee specifically for water and wastewater bills) that should be included under alternative funding sources. He felt it should be mentioned that the funding they received this year actuated several projects and, in order

for those projects to have any value, the funding must be continued into future years. It is the baseline funding that needs to be continued, and it should be separated out as continued funding of existing projects.

On page 9, there is discussion of an integrated planning committee. Mariscal asked if that was a reference to the Ad Hoc workgroup? (Colt replied yes.)

On page 6, he was not sure about the origins of the Scarborough Beach and Quonset Business Park projects because they were not part of any detailed discussion that he could recall. He is not sure how they fit in to the mix of projects that are going to be funded. Questions how some of the activities and their titles fit into the budget, e.g., freshwater resources management (that could be a lot of different things). The document needs to be accessible to the readers, so they can relate these activities directly to the required funding. Also advises that a 2-4 page summary of the document should be developed.

Colt responded that those items were his ideas: They represented potential case studies that aid in the CT in learning more about coordination (how we should be planning for it and pursuing it), particularly with regard to aligning economic and environmental interests. There is no money attached to these issues because he is trying to work on them directly; it's just his time. He tried to lay out what are the state's top environmental management concerns, as well as what are some of the specific coordination issues (the draft proposal's list of long-term issues). He reiterated that is why there is no money attached to it; it is what he is working on to bring forward and help the CT obtain a deeper understanding of general coordination themes, such as expedited permitting.

Mariscal said that his chief concern is that, through this proposal, they may be setting up false expectations as to what the CT is capable of in terms of problem solving.

Tikoian interjected that the proposal butts forward a CT budget and questioned whether money should be given directly to state agencies for specific projects. This funding issue needs to be clarified by the CT. The chart on page 13 of the draft proposal looks like the finding will be given to the CT.

Mariscal stated that it is, in fact, not the CT that is doing the work, but the CT decides where to direct available funds. For example, the Water Resources Board (WRB) is going to contract with US Geological Service to have the work done and the money resides with DEM; they will pay the bills for it. Conceptually, new funds could go to a restricted receiving account that the CT Chair oversees and manages. Then the CT proceeds to fund particular projects across the agencies. For example, item A is within the WRB's jurisdiction and they will receive funding from this restricted receipt account, as opposed to seeking general revenue support annually. This would make for a "clean system", showing the source and the use of the funds. From that perspective, the separate line item format makes sense.

Colt responded by saying that he hopes that some support will be provided for "CT operations" from the general revenues as well. Mariscal mentioned user charges, and said

that if you identify a user charge, it will cover the entire cost. So they would not have to worry about approaching the General Assembly every year saying, “I need \$250,000 for administration. I have a revenue source, but the revenue source can only fund projects; but I cannot get those projects funded if I don’t have administrative costs.” Something must change in order for these kinds of operations to work. If they cannot be funded from general taxation and general revenues, then a special fund is required.

Colt stated that basically, as they go forward with these supplementary fund requests, they must be tied to a specific purpose.

Flynn questioned the palatability of the “toilet paper tax” proposed in the draft proposal. Colt answered that he understands that concern, and would agree with striking it from the draft proposal. *The CT approved this deletion by consensus without a formal motion.*

Tom Uva reminded that Representative Naughton indicated that CT funding should not be incorporated into the DEM budget. Kip Bergstrom agreed with Uva, adding that they should not earmark funding sources to projects.

Colt asked if the CT would like to strike entirely from the Proposal Goal 2 and focus entirely on integrated monitoring and systems integration plan development.

Kaplan advised that the CT and Chair should take a “cleaner” approach in the proposal, tying proposed activities to CT legislative mandates.

Mariscal recommended that project references in the Goal Two sections be dropped entirely

Colt agreed to drop specific project references in the sections on Goal Two, and to work to tie the proposal and future workplans to the CT legislation.

The CT approved these proposal edits without a formal motion.

Colt asked that they take a week to review the proposal, with the changes discussed at the meeting change, and provide any additional feedback.

A motion was passed approving the proposal as it stands with the agreed upon edits, and the document will be publicly distributed after the first of the year.

New Business

Flynn distributed the newly produced executive summary of the Land Use 2025 plan

At 4 PM, a motion was approved to adjourn the meeting.